

REMARKS

Claims 1-44 are pending in the application. Claims 1, 6, 16, 22, 29, 31, 36, and 41 are independent. Claims 16-30 have been withdrawn from consideration. In the present paper, no claims have been amended, canceled, or added.

Rejection of Claims 1-15 and 31-40 Under 35 U.S.C. §103(a)

In the Office Action, the Examiner rejected claims 1-15 and 31-40 under 35 U.S.C. 103(a) as being obvious over Service Advertisement and Discovery: Enabling Universal Device Cooperation, by Golden G. Richard III. (hereinafter "*Richard III*"). Applicants respectfully traverse the rejection.

To establish a *prima facie* case of obviousness, an Examiner must show that there is some suggestion or motivation to modify a reference to arrive at the claimed invention, that there is some expectation of success, and that the cited reference teaches each and every element of the claimed invention. (MPEP §2143.) *citing In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)). The initial burden is on the examiner to provide some suggestion of the desirability of doing what the inventor has done. "To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references." *Ex parte Clapp*, 227 USPQ 972, 973 (Bd. Pat. App. & Inter. 1985).

Embodiments of the present invention are directed to a personal computer that automatically discovers a remote device and pushes content, such as audio and video, for example, to the remote device. Independent claim 1 recites in pertinent part "defining a service-specific protocol to facilitate remote control of a service provided by the remote device; sending data corresponding to the service provided by the remote device via a host-side software module running on a host computer in a format defined by the service-specific protocol from the host computer to the remote device over a network communication link; and sending control commands from the host computer to the remote device based on the service-specific protocol to

cause the remote device to perform the service using the data that are sent to the remote device.” Independent claim 6 recites in pertinent part “

In the Office Action, the Examiner states that *Richard III* teaches the elements of claim 1. Specifically, the Examiner argues that *Richard III* teaches “defining a service-specific protocol (UPnP, Bluetooth, Jini, etc.) to facilitate remote control of a service provided by the remote device; sending data corresponding to the service provided by the remote device via a host-side software module running on a host computer in a format defined by the service-specific protocol from the host computer to the remote device over a network communication link; and sending control commands from the host computer to the remote device based on the service-specific protocol to cause the remote device to perform the service using the data that are sent to the remote device.” Applicants respectfully disagree.

Applicants respectfully submit that *Richard III* fails to teach or fairly suggest each and every element of the claimed invention. For example, *Richard III* fails to teach “sending data corresponding to the service provided by the remote device via a host-side software module running on a host computer in a format defined by the service-specific protocol from the host computer to the remote device over a network communication link.” *Richard III* also fails to teach or fairly suggest “sending control commands from the host computer to the remote device based on the service-specific protocol to cause the remote device to perform the service using the data that are sent to the remote device.”

Richard III appears to be directed to a survey of service discovery technologies such as Bluetooth, Jini, Salutation, and Universal Plug and Play (UPnP). Applicants respectfully submit that *Richard III* does not teach or fairly suggest a personal computer that automatically discovers a remote device and “pushes” content to a remote device. Applicants respectfully submit that the technologies disclosed in *Richard III* utilize a “pull” model where clients make requests of servers to determine which services are available and then “pulls” the information from the servers. *Richard III* shows Bluetooth’s SDP server, Jini’s Lookup Server in Figure 2, and Salutations’ Manager, which “fill[s] a role similar to lookup servers in Jini.” There is no teaching in *Richard III* that any of these servers implement a “push” model. In embodiments of the

present invention, however, the personal computer or host computer does not implement a “pull” model. Instead, the PC has a software module that automatically discovers a remote device and “pushes” content to the remote device.

Even if it could be argued that *Richard III* “pushes” content to remote devices, the servers in *Richard III* do not ***define a service-specific protocol*** to facilitate remote control of a service provided by a remote device. The protocols disclosed in *Richard III* are network communication protocols and are predetermined by product manufacturers. The protocols disclosed in *Richard III* are not protocols that are specific to a particular service provided by a remote device.

In contrast, embodiments of the present invention define protocols that are specific to a particular service provided by a remote device. If a service provided by a remote device were a remote display service, then embodiments of the present invention would define protocols that are specific to the remote display service. Example protocols that are specific to the remote display service can be found in Applicants’ Specification at pages 19 et seq. If a service provided by a remote device were a remote audio service, then embodiments of the present invention would define protocols that are specific to the remote audio service. Example protocols that are specific to the remote audio service can be found in Applicants’ Specification at pages 24 et seq. If a service provided by a remote device were a remote input service, then embodiments of the present invention would define protocols that are specific to the remote input service. Example protocols that are specific to the remote input service can be found in Applicants’ Specification at pages 26 et seq.

Nowhere is this taught or fairly suggested in *Richard III*. Bluetooth, Jini, and Salutation are not based on the service provided by the remote devices. To the contrary, Bluetooth, Jini, and Salutation are communication standards that do not change if the service provided by the remote device changes. Because the Examiner has not shown where *Richard III* teaches or fairly suggests each and every element of the claimed invention, the Examiner has failed to make out a *prima facie* case of obviousness of the claimed invention over *Richard III*. Accordingly, Applicants respectfully request that the Examiner reconsider and remove the rejection to claims 1-15 and 31-40.

Applicants also respectfully request that the Examiner examine claims 1-15 and 31-40 separately. MPEP §707.07(d) states that ***a plurality of claims should never be grouped together in a common rejection*** unless rejection is equally applicable to all claims in that group. Applicant respectfully submits that the Examiner has not pointed to a teaching of “***launching a host-side software module*** to run on the host computer to enable interaction with the service via a service protocol that is specific to the service and a client-side component running on the remote device” (emphasis added) as recited in independent claim 6. The Examiner has not pointed to a teaching of “***determining display capabilities*** of the remote device” (emphasis added) as recited in independent claim 16. The Examiner has not pointed to a teaching of “***determining display capabilities*** of the remote device” (emphasis added) as recited in independent claim 22. The Examiner also has not pointed to a teaching of the subject matter recited in the dependent claims 2-5, 7-15, 17-21, 23-28, 30, 32-35, 37-40, and/or 42-44. Applicants respectfully request therefore that the Examiner ungroup claims 1-15 and 31-40 and examine them separately.

CONCLUSION

Applicant submits that all grounds for rejection have been properly traversed, accommodated, or rendered moot, and that the application is now in condition for allowance. The Examiner is invited to telephone the undersigned representative if the Examiner believes that an interview might be useful for any reason.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

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